

REMARKS

The above amendments and following remarks are responsive to the Office Action of September 29, 2004. Reconsideration of the application as amended and a notice of allowance are respectfully requested.

Claim 1-14 are pending and Applicant expresses appreciation to the Examiner for determining that claims 6-11 and 13 contain allowable subject matter and would be allowed if each were rewritten to include the limitations of claim 1.

The Examiner has objected to the title of the specification and suggested a substitute title. Applicant has amended the title as suggested by the Examiner to obviate the rejection.

The Examiner has objected to claims 1 and 6 for containing various informalities. Applicant has amended the claims to obviate the objections. Applicant has also amended the claims to remove reference numerals since the claim elements are not considered limited by the figures.

The Examiner has rejected claims 1-5 under 35 U.S.C. §102 (e) as being anticipated by Dansui, *et al.* (U.S. Patent No. 6,692,864; assigned to Matsushita Electrical Industrial Co., Ltd and having a "§102 (e) date" of June 4, 2001). Claim 12 has been rejected under 35 U.S.C. §103 (a) as being unpatentable over Dansui in view of Sugiura, *et al.* (U.S. Patent No.

6,537,694). Claim 14 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Dansui in view of Hilderbrand, *et al.* (U.S. Patent No. 6,479,185). However, none of these references can be applied against any claim that is supported by a priority document that predates the respective reference. Based on this requirement, Applicant provides the following analysis.

Regarding the rejections of claim 1-5 under section 102 (e), the Dansui reference has a section 102 (e) date of June 4, 2001, while the priority document for the present application, Japanese Patent Application No. 2000-113027, was filed April 14, 2000. Accordingly, Applicant perfects priority in this application by submitting herewith a verified English translation of the certified priority document, where the certified copy of the priority document was already received and acknowledged by the Patent Office. As the reference is no longer available as prior art against claims 1-5, the rejections of claims 1-5 under section 102 (e) have been mooted.

Regarding the rejections of claims 12 and 13 under section 103 (a), these rejections are improper under 35 U.S.C. §103 (c) because the Dansui reference was used to reject the claims under section 102 (e), and subject to an assignment to the same organization as the present invention at the time the present invention was made. As Dansui is no longer available as prior art against

claims 12 and 13, the rejections of claims 12 and 13 under section 102 (e) have also been mooted.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By C. Bruce Hamburg
C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants

and,

By T. David Bomzer
T. David Bomzer
Reg. No. 48,770
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340